
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

THOMAS J. LOWERY,

Plaintiff,

vs.

STATE OF UTAH et al.,

Defendants.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 2:08CV70 DAK

This matter is before the court on the Magistrate Judge's Report and Recommendation. On January 25, 2008, this case was referred to the Magistrate Judge under 28 U.S.C. § 636(b)(1)(B). Plaintiff then filed several motions, and, on May 8, 2008, Defendant State of Utah filed a Motion to Dismiss. On October February 24, 2009, the Magistrate Judge issued a Report and Recommendation, recommending that Defendant's Motion to Dismiss be granted and that Plaintiff's Complaint against all other defendants be dismissed.

After receiving an extension of time to file an Objection, Plaintiff filed his Objection on March 9, 2009. The court has considered Plaintiff's Objection to the Report and Recommendation, along with the entire case file.

Having reviewed the file in its entirety, the court hereby APPROVES and ADOPTS the Magistrate Judge's Report and Recommendation. Defendant's Motion to Dismiss is GRANTED, and Plaintiff's Complaint against all Defendants is DISMISSED with prejudice. Plaintiff's

remaining motions are MOOT. The Clerk of the Court is directed to close this case.

DATED this 13th day of March, 2009.

BY THE COURT:

A handwritten signature in black ink, reading "Dale A. Kimball". The signature is written in a cursive, flowing style. The first name "Dale" is written with a large, prominent "D". The middle initial "A." is written in a smaller, more compact script. The last name "Kimball" is written with a large, prominent "K" and a long, sweeping tail that extends to the right.

DALE A. KIMBALL
United States District Judge